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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/585,304	06/22/2007	Shinji Aoki	Q95888	2349

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SUGHRUE MION, PLLC
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EXAMINER

FISCHER, JUSTIN R

ART UNIT	PAPER NUMBER
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1791

NOTIFICATION DATE	DELIVERY MODE
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01/28/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/585,304	Applicant(s) AOKI, SHINJI	
	Examiner Justin R. Fischer	Art Unit 1791	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 1-6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>070606</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 1-6 are objected to because of the following informalities:

Regarding claim 1, the claim includes the following equation: $I \Sigma F_{bi} M_{bi} \times \cos(\alpha_{bi}) \times \text{number of belt layers (i)}$. The equation, however, fails to include a relational operator. It is suggested that applicant include an equal sign (=) to properly define the above noted equation.

As to claim 2, the claim includes the following language: the inclination angle " α_p " of up to 50 to 80 deg with respect to the circumferential direction. The independent claim, however, defines the above noted angle as " α_{pi} ". It is suggested that applicant amend the claim to remain consistent with the independent claim.

Also, regarding claim 2, the claim includes the following language: the end count " N_p " of 5 to 13/cm. The independent claim, however, defines the above noted end count as " N_{pi} ". It is suggested that applicant amend the claim to remain consistent with the independent claim.

Also, with respect to claim 2, the claim includes the following language: the initial modulus of elasticity " M_s ". The independent claim, however, defines the above noted modulus as " M_{si} ". It is suggested that applicant amend the claim to remain consistent with the independent claim.

Also, regarding claim 2, the claim includes the following language: the end count " N_s " of 8 to 13/cm. The independent claim, however, defines the above noted end

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count as "Nsi". It is suggested that applicant amend the claim to remain consistent with the independent claim.

Also, with respect to claim 2, the claim includes the following language (twice): the initial modulus of elasticity "Mb". The independent claim, however, defines the above noted modulus as "Mbi". It is suggested that applicant amend the claim to remain consistent with the independent claim.

Also, regarding claim 2, the claim includes the following language: the inclination angle "ab" of 0 to 30 deg with respect to the circumferential direction. The independent claim, however, defines the above noted angle as "abi". It is suggested that applicant amend the claim to remain consistent with the independent claim.

Also, with respect to claim 2, the claim includes the following language: the end count "Nb" of 8 to 13/cm. The independent claim, however, defines the above noted end count as "Nbi". It is suggested that applicant amend the claim to remain consistent with the independent claim.

Lastly, regarding claim 2, it appears that applicant accidentally omitted the symbol "asi" after the language "inclination angle" when describing the radial reinforcement layer.

Appropriate correction is required. Alternatively, applicant can amend the symbols in the independent claim such that they are consistent with those currently listed in dependent claim 2.

Allowable Subject Matter

2. Claims 1 and 2 would be allowable if rewritten or amended to overcome the claim objection set forth in this Office action.
3. Claims 3-6 would be allowable if rewritten to overcome the claim objections set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ichikawa (JP 10-44712), Mochida (JP 2-74403), Kabe (JP 62-261504), Pirotte (US 6,588,472), Billingsley (US 2,947,339), Boussu (US 2,884,040), and Bourdon (US 2,493,614) teach similar tire constructions including radial band layers positioned between a carcass ply and an overlying belt structure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Justin R. Fischer** whose telephone number is **(571) 272-1215**. The examiner can normally be reached on M-F (7:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on (571) 272-1226. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Justin Fischer
/Justin R Fischer/
Primary Examiner, Art Unit 1791
January 21, 2010